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March 25, 2015

VIA EMAIL (Failla_NYSDChambers@nysd.uscourts.gov)

Judge Katherine Polk Failla
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

USDC SDNY
DOCUMENT
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DATE FILED: March 26, 2015

MEMO ENDORSED

Re: *Ahmed v. Purcell*, 14 Cv. 7491(KPF)

Dear Judge Failla:

Pursuant to our discussion last Friday, I am writing to notify the Court of the undersigned's substitution of counsel in place of Ms. Esha Parvathi Krishnaswamy and to request sufficient time to research and respond to the issues raised by Your Honor, discuss same with opposing counsel, and if need be, file an Amended Complaint.

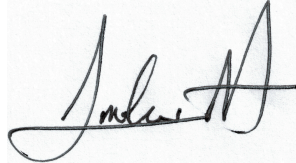
With regard to the Ms. Krishnaswamy's motion to withdraw, Ms. Krishnaswamy was previously retained to represent the Plaintiff in this case but now seeks to withdraw. It is unclear whether Ms. Krishnaswamy re-filed her motion to withdraw, but in any event, with the consent of Cassandra Kirsch, counsel for Defendant Stephen Purcell, Plaintiff now desires Andrew Mancilla to represent him. Annexed hereto is a Stipulation of Substitution of Counsel signed by Ms. Krishnaswamy, the withdrawing attorney, as well as Ms. Kirsch, to be So Ordered by Your Honor.

With regard to the issues presented by this matter, I have closely reviewed the transcript of the pretrial conference held on February 18, 2015. During that conference Your Honor Ordered the parties to advise the Court on a number of questions presented by the fact that this case appears to be one of two virtually mirror-image lawsuits brought in different jurisdictions. On March 11, 2015, Ms. Krishnaswamy filed a motion to be relieved and Your Honor stayed the Order pending the resolution of Ms. Krishnaswamy motion to withdraw.

Assuming this letter and Stipulation of Substitution of Counsel resolves the motion to withdraw, counsel respectfully requests at least three weeks to review both cases, conduct the necessary research regarding the issues raised by the Court, engage in a meaningful discussion with Cassandra Kirsch, submit the appropriate briefing on the issues presented, and draft an Amended Complaint.

I thank you for your consideration of this request.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Andrew Mancilla".

Andrew Mancilla, Esq.

Cc: Cassandra McDonald Kirsch (via email at ckirsch@hopkinsway.com)

Application GRANTED. The parties are hereby ORDERED to submit a letter by April 17, 2015, which sets forth the parties' positions with respect to the related action filed on December 5, 2014, in the Superior Court of Arizona, Pima County, *Purcell v. Ahmed*, No. C20146273.

Additionally, Plaintiff shall file his Amended Complaint by April 17, 2015. Defendant shall answer or otherwise respond to the Amended Complaint by May 1, 2015. If Defendant chooses to file a motion to dismiss, he shall submit a pre-motion conference letter in accordance with the Court's Individual Rules of Practice in Civil Cases, and Plaintiff shall file a responsive letter within three business days. Upon receipt of the letters, the Court will decide whether to hold a pre-motion telephone conference.

Dated: March 26, 2015
New York, New York

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE